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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,777	02/09/2006	Keiji Dohi	060102	3783
23850 7590 03/27/2008 KRATZ, QUINTOS & HANSON, LLP 1420 K Street, N.W. Suite 400 WASHINGTON, DC 20005				
EXAMINER				
SHARMA, RASHMI K				
ART UNIT		PAPER NUMBER		
3651				
MAIL DATE		DELIVERY MODE		
03/27/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/567,777

**Applicant(s)**

DOHI, KEIJI

**Examiner**

RASHMI K. SHARMA

**Art Unit**

3651

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 11/9/2007
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker (US Patent number 6,634,461) in view of Volk et al. (US Patent number 2,970,549) and further in view of Minamikawa (US Patent number 6,695,126).

Baker discloses a vehicle transfer apparatus comprising a stanchion (18) disposed on both sides of the vehicle body, a lift-unit (12) which is provided to each stanchion (18) in the condition that a slide in an up-and-down direction along the stanchion (18) of the lift-unit is allowed, a tire supporter (36) which is provided to each lift-unit and supports a tire of the vehicle body in the condition that the lower part of the tire is exposed under the tire supporter, a lift-unit driver (40) which moves respective lift-units in an up-and-down direction, a tire supporter driver (an operator, read column 3 lines 18-20) which controls a linear motion of the tire supporter (36) and changes the position of the tire supporter between a tire support position and a passing position.

Baker fails to disclose a tire supporter driver controlling a linear motion of the tire supporter relative to the lift unit, wherein the tire supporter comprises a pair of chucking arms, an arm driver which controls an open and shut motion of the chucking arms and

changes the position of the pair of chucking arms between a tire holding position and a tire release position and wherein a part of the chucking arm that has contact with the tire is a rotatable roller.

Volk et al. does disclose a tire supporter driver (see Figures 2-4) controlling a linear motion of the tire supporter, wherein the tire supporter comprises a pair of chucking arms (9a and the arm portion directly above 9a connecting to axes 10 in Figure 3), an arm driver (motor 15, read column 3 lines 35-50) which controls an open and shut motion of the chucking arms and changes the position of the pair of chucking arms between a tire holding position and a tire release position and wherein a part of the chucking arm that has contact with the tire is a rotatable roller (read column 3 lines 70-75).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the tire supporter driver (an operator) and the tire supporter (36) of Baker's invention with that of Volk's tire supporter driver and Volk's tire supporter, as described above, in order to provide for an automated mechanical device to support the vehicle tires when transferring a vehicle within a conveyor system.

Baker as modified by Volk et al. as disclosed above, fails to show the apparatus transferring a vehicle between a conveyance line disposed in a lower-side of the vehicle transfer apparatus and a conveyance line disposed in an upper side of the vehicle transfer apparatus.

Minamikawa does disclose transferring a vehicle between a conveyance line disposed in a lower-side of the vehicle conveyance and a conveyance line disposed in an upper side of the vehicle conveyance line.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to add upper and lower conveyance lines as taught by Minamikawa to Baker as modified by Volk et al.'s invention in order to provide for multiple conveyor lines within a conveyor system for transferring vehicle bodies from one conveyor line to another, as conveyor systems having upper and lower conveyor lines are well known in the art.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHMI K. SHARMA whose telephone number is (571)272-6918. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rks

/Gene Crawford/  
Supervisory Patent Examiner, Art  
Unit 3651

